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**Sent:** 7/1/2019 10:34:06 PM  
**To:** Wauters, Patrick [wauters.patrick@epa.gov]; Law, Donald [Law.Donald@epa.gov]; Spangler, Matthew [Spangler.Matthew@epa.gov]; Carrillo, Andrea [Carrillo.Andrea@epa.gov]; Schramm, Daniel [Schramm.Daniel@epa.gov]; Morales, Monica [Morales.Monica@epa.gov]; Daly, Carl [Daly.Carl@epa.gov]; Fallon, Gail [fallon.gail@epa.gov]  
**Subject:** RE:[OTP 2018 Annual Report. Discussion of contract] EPA response to ND coyote creek source determination  
**Attachments:** Attorney Client Communication - Coal Contract Research; Otter\_Tail-AR2018.pdf

All

While I think most of you may have my earlier research regarding the coal contract between the power plant and mine, which included an excerpt from Otter Tail Power's (OTP) 2017 Annual Report, attaching it here.

Also attached is OTP's 2018 Annual report, which contains the same discussion that appeared in the 2017 report, "that based on the terms of the LSA (lignite sales agreement)" it "is considered a variable interest entity (VIE) due to the transfer of all operating and economic risks to the Coyote Station owners..." Otter Tail Power 2018 Annual Report, p. 58.

**Sara L. Laumann, Senior Assistant Regional Counsel**

Media Law Counseling Section, Legal Counseling & FOIA Branch, Office of Regional Counsel, EPA Region 8 (Mountains & Plains)

Phone: (303) 312-6443

Mail code: 8RC-LC-MC

-----Original Appointment-----

**From:** Wauters, Patrick


**Sent:** Monday, July 1, 2019 8:20 AM

**To:** Wauters, Patrick; Laumann, Sara; Law, Donald; Spangler, Matthew; Carrillo, Andrea; Schramm, Daniel; Morales, Monica; Daly, Carl; Fallon, Gail

**Subject:** EPA response to ND coyote creek source determination

**When:** Wednesday, July 3, 2019 1:30 PM-2:00 PM (UTC-07:00) Mountain Time (US & Canada).

**Where:** R8DEN-7101-PrairieRose/R8-Wynkoop

Call in number: 1-202-991-0477; conference ID 

This is an internal call to brief R8 management and discuss EPA's response options to North Dakota's latest draft source determination for Coyote Creek Mine/Coyote Station and draft response to comments on the Coyote Station TV permit renewal. We plan to have a call with ND soon with this same group to give them our input.

Attached is EPA's written response to their first request for input on their draft source determination in late 2018, and also the latest draft source determination and draft response to comments received 6/25 requesting EPA input.